IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

Cont.Case (C).No.390 of 2007(S)

ARISING OUT OF THE JUDGEMENT IN W.P.(C).NO.28775/2006
DATED DATED 11.1.2007

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PETITIONER:-

M.K.VINOD,
AGED 31 YEARS,
S/O KUNJAPPAN,
MANGALATHU HOUSE,
ENANELLOOR P.O.,
VARAPETTI,
KOTHAMANGALAM.

BY ADV. SRI.GEORGE ABRAHAM
SRI.O.K.MURALEEDHARAN

RESPONDENTS:-
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1. M.K.SIVAN,
   (AGE NOT KNOWN TO THE PETITIONER)
   S/O KUNJAPPAN PILLAI,
   MANGALATHU HOUSE,
   ENANELLOOR P.O.,
   VARAPETTI,
   KOTHAMANGALAM.

2. LATHIKA KUMARI,
   (AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER),
   SECRETARY,
   VARAPETTI GRAMA PANCHAYAT,
   VARAPETTI,
   KOTHAMANGALAM.

R1 BY ADV. SRI.PEEYUS A.KOTTAM
R2 BY ADV. SRI.A.C.DEVY.

THIS CONTEMPT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

H.L.Dattu,C.J. & K.M.Joseph,J.

Cont.Case (C).No.390 of 2007-S

Dated, this the 10th day of December, 2007

JUDGMENT

H.L.Dattu,C.J.

After arguing the matter for quite some time, the learned counsel appearing for the petitioner/complainant seeks leave of this Court to withdraw the contempt petition. Further requests this Court to permit the petitioner to question the correctness or otherwise of the orders passed by the Pollution Control Board, respondent No.5 in the writ petition, dated 17.08.2007.

(2) Permission sought for by the petitioner is granted and the contempt petition is rejected as withdrawn.

(3) Liberty is reserved to the petitioner to question the correctness or otherwise of the orders passed by the Pollution Control Board dated 17.08.2007 before the appropriate forum by filing appropriate application/petition.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.M.Joseph
Judge

vku/-